

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-15-00390-CV**

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**IN RE STATE OF TEXAS**

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**Original Proceeding**  
**County Court at Law No. 2 of Montgomery County, Texas**  
**Trial Cause No. 14-05-05339-CV**

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**MEMORANDUM OPINION**

The State of Texas, the relator, filed a petition for writ of mandamus and a motion for temporary relief. *See* Tex. R. App. P. 52.8, 52.10. The State contends the trial court compelled discovery protected by the consulting expert privilege. *See* Tex. R. Civ. P. 192.3(e). On September 24, 2015, we granted the motion for temporary relief, stayed any discovery, depositions, or production of documents compelled by the trial court's order of September 11, 2015, and requested a response from Harper & Manning Investment Properties, LLC, the real party in interest.

After reviewing the mandamus petition, response, and record, we conclude that the State has not shown that the trial court abused its discretion. Accordingly, we dissolve our stay and deny the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on October 5, 2015  
Opinion Delivered October 8, 2015

Before Kreger, Horton, and Johnson, JJ.